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A Study of

STANDING COMMITTEES

by

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For democratic systems to continue to exist they must be dynamic, must be willing, and able, to adapt to the changes in the political culture and socialisation of their constituent parts. We have witnessed many such adaptations: the extension of the electoral franchise to women and natives, the diminishing in role and power of the unelected second Houses and the change in the social and demographic characteristics of our elected representatives. Changes to the democratic milieu can take many forms, and the changes are both internal and external to the democratic institutions. Perhaps one of the most exciting changes is in the relationship of the standing committees to the legislature. The complex relationship between these committees and the legislature [15] an interesting adaptation of the governmental process. It is, however, difficult to say if the committees are truly effective in the sense of policy development. Due to a multiplicity of factors, the most important of which is the legislature/executive dichotomy, the viability of standing committees is in question.

Supporters of the standing committees state that the process allows the possibility of small group dynamics taking over from the intrinsicly partisan nature of the members thus providing quality, as opposed to partisan, committee decisions. It is also stated that the committees will allow the government to conciliate, in an attempt to gain minor opposition concessions. I disagree with these points, especially after witnessing the role of committees in the Alberta context. The Progressive Conservative government is not used to having any opposition of consequence. In 1971 the opposition numbered 26; in 1975 the opposition numbered 6; in 1979 the opposition numbered 5; and in 1982 the opposition numbered 4. It is only since 1986, that the Progressive Conservatives have had to adapt to confrontational politics, and as a result they have closed ranks in a tremendously partisan way. The P.C's paranoia of dissent even when they had no opposition of consequence (i.e. with Messers. Ron Ghitter and Tom Sindlinger), has been further exacerbated by the increase in strength, and support of the opposition parties (1). The conciliatory attitude that can sometimes be found in the workings of committees (i.e. in the United States) is not present in the Alberta setting, due to both the present dynamics of the political situation, and as an out-crop of the province's political culture. It is of extreme importance that the present realities of the situation be kept in mind while we are dealing with the topic of committees. In the Alberta setting, the issue of the growth of an opposition of consequence is coupled with the issues of executive domination of the legislature and party

discipline to seriously impair the functional viability of standing committees.

The realities of politics dictate that the government act in the manner outlined above. Many of the pre-1986 concessions made to the opposition have disappeared. Much of the work that used to be assigned to the committees of the legislature has been given to caucas committees, and the political realities of the situation are self-evident. It is within this context that the existing standing committees of the legislature must operate.

In this essay I will discuss the issue of standing committees in the Legislative Assembly of Alberta. I will argue that because of a number of prevailing factors the role of the standing committees is extremely limited. However, despite the limitations, standing committees continue to be important; but not in the sense of policy activism. Standing committees may serve to partially help in the enforcement of minority rights inherent in democratic theory as applied to partisan politics, and they may serve the twin pillars of participation and efficiency, however, the scope is limited. Given the nature and power of party dicipline in a majority government situation, and the extent of executive power, the functional effectiveness of the standing committees must be called into question.

It is important that we set the groundwork for the study of the topic of standing committees by looking at the famous model

of Professor David Easton outlining the political process. This basic model of political science attempts to conceptualize the governmental process by a series of linear relationships, and the use of the "black box". Easton's model st ces that the political process can be characterized by the relationship between inputs, the black box and outputs, with the black box being the governmental processes used to transform the inputs into outputs. This simple model can be modified by the addition of fragments from other models. Such additions could include: a feed-back mechanism, the introduction of gate-keepers who would serve to regulate the inputs, and, perhaps, the flow of outputs, and an elaboration of the functional processes of the black box.

The use of the model helps to eliminate the cynical attitude that democracy exists for the few hours that the polling stations are open. From the time that the birds chirp their song of the free to the time when the CBC's anchorman declares the computer projections of the outcome. When one uses the modified Easton model, one can see that the act of voting simply serves, obviously, as a link in the process. Voting may cause the agenda of inputs to be modified, and perhaps amended, and may cause a physical change in the gate-keepers, but it is still a part of the cyclical process that manifests itself in the functioning of a liberal-democratic state in peace time (2).

Some of the processes that can be found within the modified black box include: the bi-lateral relationship of the executive

to the legislature, the relationship of the standing committees to the legislature, and the dotted line relatiolnship of the standing committees to the executive. Unlike the United States of America with its formalised separation of power, Canada and her provinces operate on the basis of the division of power. That is to say that the three branches of government, most especially the legislature and the executive, are divided as opposed to separated. Because of the division some rather interesting and complex relationships arise. The dichotomy in the relationship of the executive to the legislature is an example of the above. In the United States of America, due to the separation, the legislature has much more freedom of action, hence the importance and functional effectiveness of Congressional committees (3). In Canada, the division affords the opportunity of executive interference which limits the power of the committees. When judging standing committees one must place them in the modified model.

The dichotomy between the executive and the legislature must be kept in mind. The eminent British political scientist Prcfessor Bernard Crick, stated in his masterpeice, The Reform of Parliament, that the executive, despite popular conception, was under the control of the legislature (4). Although Crick was using the British House of Commons as a model it is easy to transpose his writings on parliamentary democracy into the Alberta context. Crick's assertion has been disputed by many, but if one follows the reasoning of Crick one comes to the finding

that:

> "the truth (was) that the most important work of central government is conducted not by civil servants or M.P.'s working as individuals, but by committees." (5)

In order to reach this generalisation one has to accept Crick's basic premise that parliamentary control does, indeed, rest in the ascendency of the legislature over the executive. His definition of said control was as follows:

> "influence, not direct power; advice, not command; criticism, not obstruction; scrutiny, not initiation; and publicity, not secrecy." (6)

As one can tell it is not easy to accept his definition of parliamentary control. Once an individual refuses such acceptance of Crick's given, the paramouncy of the importance of committees soon falls away. Given the present dynamics of the situation, as proven by executive positivism, it seems that it would have been better for Crick to apply his splendid definition not to parliamentary control but to executive control.

> "Crick evaded the need to reconcile the contradictions inherent in a British model of parliamentary control over a strong executive."(7)

In his argument for the paramouncy of parliament, Crick seems to have missed the self-evident fact of executive power, read control, over the legislature! The lack of acceptance of Crick's basic premise seems to negate the power of committees qua policy formulation actors, but it does not, necessarily, take away from the functions of the committees in a non-activist role.

One must take the theory behind parliamentary democracy with a grain of sardonic realism, and treat it according to the dictates of the situation within the paranoid confines of party discipline, and executive dominance. In his interesting article on parliamentary reforms in Quebec, MacLeod stated that:

> "The primary purpose (behind the restructuring of the Quebec system of Standing Committees) was to increase the efficiency of the executive by streamlining parliamentary procedure."(8)

MacLeod seems to point out the functional realities of the situation by pointing to the power of the executive (9). Granted, the Legislature could use its power in exceptional circumstances to over-ride the executive, but, in practice, this is rarely done. Regarding Crick's definition, it is difficult to apply it in the Alberta setting to the executive, and impossible to apply it to the legislature, especially since the May 1986 election. I would argue that it is self-evident that not one of the five criteria can be applied without qualifacation in Alberta. Because

of the dominance of the executive, the lack of real power within the legislature, and the growth of an opposition indicating the displeasure of the Alberta electorate with the present government and its policies, it is extremely difficult for Alberta's standing committees to have influence. As mentioned earlier in the paper some individuals feel that standing committees can be useful if the committees are used as a tool of conciliation. In the Alberta context this is not the case, and the divisive nature of partisan politics further exacerbates the "lack" of real power in the standing committees in Alberta. (10)

The unique, heavily biased relationship between the executive and the legislature is of extreme importance, as is the nature of partisan politics in post-1986 Alberta, as this is the context in which the standing committees must operate.

The executive can, and does, control the issues that are given to the committees (11), the executive controls the selection of the committee chairmanships (12) the executive has the power of the whip over its private members, the executive can also effect the "career paths"(13) of the members of the committees, and the executive has the benefit of being viewed, rightly or wrongly, as an "elite" which helps in their function. The control is often not very heavy-handed, but it can manifest itself in a number of ways, both subtley (with the whip) (14), and overtly (i.e. with the large contingent of Ministers who sit on the Standing Committee on Privileges, Elections, Standing

Orders and Printing, and the role of parliamentary secretaries on departmental committees in the Canadian House of Commons).

Despite all my protestations about the nature of party discipline and the control of the legislature by the executive, I will concede that the committees do serve a useful purpose in the political process, and these functions seem to posit the fact that the standing committees should continue to operate.

Perhaps the most important role of the standing committees, with the sheen removed, is in relationship to, and with, the members of the legislature. The standing committees can serve as a means of integrating the members of the House, both government and opposition (15), into the governmental structure, albeit in a limited way (16). Another important feature of the committees is that they can help in the socialisation and the educational processes of the members (17). Service on the committees, especially as a chairman of a high profile committee, can help to raise the member's profile both within the House and among the great unwashed (18). An apprenticeship served well on a committee can help an individual gain entrance to the power-station of the executive cabinet. Committee chairmanships can also help the government in a number of ways. It can help the government as they can, perhaps, use the positions as "pseudo-patronage" appointments by helping the executive to dispense the plums of importance without having the political headaches involved in expanding the cabinet as a reward for excellence. Given the lack

of real power within the committees, the executive can also use committees to placate members who have been elected for a long time but who, perhaps, are not of high enough calibre for the cabinet- my final point is obviously debatable given the need for a limited cabinet.

On the darker side of timocracy it has been said that the committees are just a part of a continuous election campaign (19), with the interest of members being directed not at issues of provincial interest but of issues of party-political interest. It should be noted, however, that perhaps the timocratic dark side is just a shocking glimpse of reality of which Machiavelli would be proud.

External to the factors listed above it has been shown that the standing committees can save time and clarify issues (20), and as such they can serve an important role in the modified Eastonian metaphor. This point, coupled with the above points, brings us to the important issue of effectiveness. In one sense I would argue that committees are worthwhile in the Alberta setting, but not in the larger accepted sense of their being.

> "The committees must be adequately manned, but mere attendance is not all that is needed for their effectiveness. Committee work demands interest and preparation on the part of committee members and, furthermore, a feeling that in some sense committee work is

worthwhile."(21)

It would seem that government members accept that the committees are worthwhile, and the opposition members are savvy enough to use the communication function afforded by the committees, however (22), the committees do have one serious short-coming in the area of effectiveness. Due to party considerations being paramount to other considerations the committees are not specialist, choosing to use party members as opposed to "the expertise and political knowledge of all members".(23) As such the potential for the valuable inter-change of information within a committee is seriously hampered.

I have argued that the Standing Committees of the Legislative Assembly of Alberta do have some use, albeit limited. However, I would also argue that what little use the standing committees do have in the present setting is of primary importance to those inside the House, and, especially, those of the government party. For the process of standing committees to be viable certain factors must exist. The most basic of these factors is Crickian control of the executive by the legislature. This was obviuosly not the case, and, as such, any edifice erected on such a shaky foundation is bound to face difficulties.

Standing committees have a tremendous potential to serve as a link between the government and the electorate. The committees could serve as a means of interest articulation and aggregation,

and, if used in a reformed setting, could replace the obsolete method of party politics by efficient use of committees. Presently, as shown by the low voter turn-out in our exercise of democracy, partisan politics is losing its appeal. Such unrest, apathy and wide-spread distrust and cynicism of our elected officials bodes ill for the future of "parliamentary democracy". A new system must be developed; a system which affords both participation and efficiency; a system which is free of executive control, paranoia and party discipline.

Any Reform of standing committees must reflect the needs of the people, not just the elected officials, and such a reform must begin with a general release from the shackles of party discipline. Once such a dawning of the self-importance of the masses is readily apparant, committees can be truly effective as tools of policy activism. Unreformed, the committee structure is a sad reminder of "undemocratic parliamentary democracy".

STANDING COMMITTEES

Standing Committee on the Alberta Heritage Savings Trust Fund Act
Chairman: Mr. Oldring
Deputy Chairman: Mr. Hyland

Bradley	Hawkesworth	McEachern	Payne
Cherry	Heron	Moore, R.	Piquette
Chumir	Jonson	Nelson	Speaker, R.
Gogo			

Standing Committee on Law and Regulations
Chairman: Dr. Cassin
Deputy Chairman: Mr. Pengelly

Ady	Day	Mjolsness	Shrake
Alger	Elliott	Oldring	Trynchy
Buck	Koper	Roberts	West
Cherry	McEachern	Schumacher	Zarusky
Chumir			

Standing Committee on Legislative Offices
Chairman: Mr. Stewart
Deputy Chairman: Mr. Gogo

Ady	Clegg	Elliott	Mitchell
Buck	Drobot	Fox	

Special Standing Committee on Members' Services
Chairman: Dr. Carter
Deputy Chairman: Mr. Bogle

Barrett	Hyland	Mirosh	Taylor
Campbell	Kowalski	Pengelly	Wright
Elliott			

Standing Committee on Private Bills
Chairman: Mr. Schumacher
Deputy Chairman: Mr. Musgreave

Ady	Drobot	Koper	West
Brassard	Elliott	Mirosh	Wright
Clegg	Gibeault	Mjolsness	Younie
Day	Hewes	Musgrove	Zarusky
Downey	Jonson	Sigurdson	

Standing Committee on Privileges and Elections, Standing Orders and Printing
Chairman: Mr. Stewart
Deputy Chairman: Mr. Horsman

Anderson	Fox	Moore, M.	Russell
Bogle	Gibeault	Musgreave	Schumacher
Campbell	Gogo	Oldring	Sigurdson
Crawford	Hewes	Osterman	Speaker, R.
Fischer	Hyland	Piquette	

Standing Committee on Public Accounts
Chairman: Mr. Pashak
Deputy Chairman: Mr. R. Moore

Ady	Ewasiuk	Mirosh	Payne
Alger	Fischer	Mitchell	Roberts
Bradley	Heron	Musgrove	Shrake
Brassard	Jonson	Nelson	Strong
Downey	Laing		

Standing Committee on Public Affairs
Chairman: Mr. Jonson
Deputy Chairman: Mr. Clegg
All members of the Assembly

THE NUMBER OF TIMES EACH STANDING COMMITTEE HAS MET.

(May 1986 - January 1988)*

STANDING CTTE.	1986	1987	1988
AHSTF	24	13	13
LEG OFC.	4	2	0
MEM. SERV.	9	12	2
PRIV. BILLS	9	14	0
PRIVIL. ELEC.	0	12	0
PUB. ACCOUNTS.	8	11	0
LAW AND REG.	0	0	0

*I wish to thank Ms. Vivian Loosemore for her kind assistance.

STANDING COMMITTEE STATISTICS

i) Average number of years service in the House, by Committee members.

a) Standing Committee on the Alberta Heritage Savings Trust Fund Act:

CTTE. ave = 10.5 yrs
P.C. ave = 7.2 yrs
LIB/ND ave= 2.0 yrs
OPP ave = 6.6.yrs

b) Standing Committee on Law and Regulations:

CTTE. ave = 5.0 yrs
P.C. ave = 4.7 yrs
LIB/ND ave= 2.0 yrs
OPP ave = 5.8 yrs

c) Standing Committee on Legislative Offices:

CTTE. ave = 6.2 yrs
P.C. ave = 5.2 yrs
LIB/ND ave= 2.0 yrs
OPP ave = 8.3 yrs

d) Special Standing Committee on Members' Services:

CTTE. ave = 6.9 yrs
P.C. ave = 8.75 yrs
LIB/ND ave= 2.0 yrs

e) Standing Committee on Private Bills:

CTTE. ave = 3.5 yrs
P.C. ave = 4.0 yrs
LIB/ND ave= 2.0 yrs

f) Standing Committee on Privileges and Elections, Standing Orders and Printing:

CTTE ave = 9.2 yrs
P.C. ave = 10.6 yrs
LIB/ND = 2.0 yrs
OPP ave = 5.8 yrs

An interesting point to note vis-a-vis the above committee is the number of Cabinet Ministers on it. In this committee 28% of the membership consists of Ministers. This number compares favourably with the absolute percentage of Cabinet Ministers in the House (31%) and the absolute percentage of Cabinet Ministers in relation to Progressive Conservative members (43%); however, given the importance of this committee, it could be construed that the Executive is trying to "place its stamp" on the findings of the Committee. If committees of the Legislature come under the

"control" of the Executive Council, then the division of power, which is an important facet of both our system of government and the committee system, could be threatened.

g) Standing Committee on Public Accounts:

CTTE ave = 4.3 yrs
P.C. ave = 5.2 yrs
LIB/ND ave=2.0 yrs

ii) The percentage of Party Representation in the Standing Committees.

The percentage of party representation in the House by election (i.e. with the Speaker counted as a P.C.) is as follows:

P.C.= 73%
N.D.= 19%
LIBERAL = 5%
REP = 2%

The percentage of party representation on the Standing Committees is as follows:

AHSTF ctte.:	P.C.= 66% N.D.= 20% LIB = 6% REP = 6%
LAW and REG:	P.C.= 73% N.D.= 15% LIB = 5% REP = 5%
LEG. OFC:	P.C.= 66% N.D.= 11% LIB = 11% REP = 11%
MEM. SERV.:	P.C.= 72% N.D.= 18% LIB = 9% REP = 0%
PRIV. BILLS:	P.C.= 71% N.D.= 23% LIB = 4% REP = 0%
PRIVIL. ELEC.:	P.C.= 71% N.D.= 19% LIB = 5% REP = 5%
ACCOUNTS:	P.C.= 70% N.D.= 25% LIB = 5% REP = 5%

WOMEN ON STANDING COMMITTEES

In the Legislative Assembly there are, presently, 11 female M.L.A.s. This figure represents 13% of the membership.

The percentage of women by caucas is as follows:

P.C.s	11%
CABINET	15%
LIBERALS	25%
N.D.s	18%
REPs	0%

The percentage of women serving on Standing Committees of the Assembly is as follows:

AHSTF CTTE.=	0%
LAW and REG.=	14%
LEG OFC. =	0%
MEM SERV. =	18%
PRIV BILLS =	19%
PRIV ELECTIONS =	4%
ACCOUNTS =	10%

Two of the above figures seem to stick out. The first of those is the percentage of female representation on the AHSTF committee. Given the financial scope and magnitude of the Fund, it is surprising that there are no women on the committee. The second figure that sticks out is the percentage of women serving on the Private Bills Standing Committee. It would seem that said standing committee serves as an introduction to the process of provincial government, and the fact that women are over-represented, in terms of absolute percentage, on the committee is an hopeful indication that women are being integrated into the political mainstream.

Some important considerations that must be taken into account when studying these figures include: the number of women in each party and party size, the number of women available to serve on the committees and the number of women who ran unsuccessfully.

STANDING ORDERS OF THE LEGISLATIVE ASSEMBLY OF ALBERTA

(in regards to Standing Committees)

S.O. 49 (2) Standing Committees of the Assembly shall be established for the following purposes:

a) Privileges and Elections, Standing Orders and Printing,

b) Public Accounts,

c) Private Bills,

d) Law and Regulations,

e) Public Affairs,

f) The Alberta Heritage Savings Trust Fund Act, consisting of 15 members,

g) Legislative Offices, consisting of nine members.

(3) At the commencement of the first session of each Legislature, the Special Committee referred to in suborder (1) shall prepare and recommend a list of members to compose the Special Standing Committee of the Assembly on Member's Services.

S.O. 51 (2) A Standing Committee of Special Committee may elect one of its members to be Deputy Chairman if none has been appointed by the Assembly.

(3) In the absence of the Chairman and Deputy Chairman at a meeting, the Committee may elect one of its members to be acting chairman at that meeting.

S.O. 53 (3) No member may be nominated to a committee who declares that he is against the principle of a Bill, motion or matter to be committed to the committee,

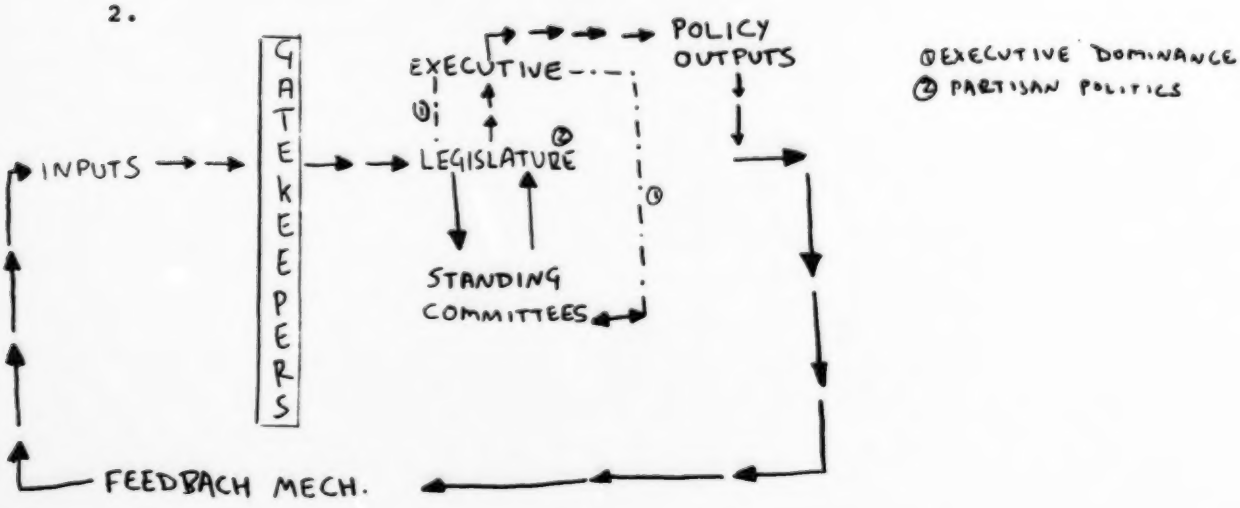
(4) One-third of the members of a standing or special committee constitutes a quorum, unless the Assembly has otherwise ordered.

S.O. 65 (2) The report of a committee is the report as determined by the committee as a whole or a majority of it, and no minority report may be presented or received by the Assembly, but a committee may, in its discretion, include any dissenting opinions in its report.

END NOTES

1. This can be seen in S.O. 65 (2). The absence of any provision for a minority report, without the "permission" of the majority is a poor reflection on the situation. In the House of Commons and in the U.S.A's Congressional Committees, monority reports help in the presentation of the subject. For committees to be effective the tyranny of the majority approach is not acceptable.

2.



In an idealised setting, committees of the legislature could serve as a means of interest aggregation and articulation. They would also serve as a link between the Government and the

electorate.

3. For an elaboration on the functional activity of Congressional Committees in the United States of America see J.D. Lees "Committees in the United States Congress" in Committees in Legislatures: A Comparative Analysis Ed. J.D. Lees and M. Shaw. (Durham, N.C.: Duke University Press, 1979) pp. 11-55.

4. B. Crick The Reform of Parliament (London, U.K.: Weidenfeld and Nicolson, 1968), p. 79.

5. Crick, pp. 81-82.

6. Crick, p. 80.
See also: D. Judge Backbench Specialisation in the House of Commons. (London, U.K.: Heinemann Educational Books Ltd., 1981) p. 157,
A. MacLeod "The Reform of the Standing Committees of the Quebec National Assembly: A Preliminary Assesment" in The Canadian Journal of Political Science §8 (1975) pp. 22-39† p. 36.

From my limited experience with Alberta politics, I find it rather hard to apply Crick's criteria to either the executive or the legislature of the province without massive qualifacation.

7. Judge, p. 157.

8. MacLeod, p. 24.

9. MacLeod, p. 22.

10. C.E.S. Franks " The Dilemma of the Standing Committees of the Canadian House of Commons" in The Canadian Journal of Political Science §(1971) pp. 461-476† p. 471.

Compounding the issue is the fact that most of the issues which go before the standing committees will have been discussed in caucas. Franks-

> "Government members of committees will have already considered the bill in caucas so will already be in favour of the bill"

11. MacLeod, p. 30.

12. "From the point of view of the executive, the importance of a leadership chioce in the committees rests in the desire for a smooth passage of legislation and an uneventful consideration of departmental estimates"

M.M. Atkinson and K.R. Nossal "Executive Power and Committee Autonomy in the Canadian House of Commons: Leadership Selection 1968-1979." in The Canadian Journal of Political Science §(1980) pp. 287-308† p. 291.

Even on the opposition "lead" Standing Committee on Public Accounts, the Government Party accounts for about 70% of the Committee membership. As such it requires no stretch of the imagination to look at the committees impact on "departmental estimates"!

13. Atkinson and Nossal, p. 292.

14. Atkinson and Nossal, p. 292.

15. MacLeod, p. 36.

16. The following quotes are from "Interview" in Canadian Parliamentary Review Summer 1987 pp. 28-33.

B. Hewes: "The Legislature's committees all function relatively well... it is important to remember that each is heavily weighted in favour of the government" p. 32. (nb. As one can see from the table of statistics I compiled, the weight of government members on the standing committees is " in line" with the weight of the House. Whether, in fact, the % is equal to the number of votes is a different matter)

R. Speaker: "The transfer of power from the government caucas to the legislature will happen only as a result of political pressure from the public on the members. As the opposition

becomes more of a real political threat the government will become hesitant to push the decisions of its caucas. There is the potential for improved and increased decision-making and refining within the Legislature" p. 32

P. Barrett: "I do not see any improvement to make legislative committees more effective" On P.C. caucas committees "(they) take much out of the hands of the Legislature and puts inordinate power into the hands of the government caucas. I think the present government fears all-party committees because they expose matters referred to them to debate and public scrutiny" p. 32.

17. The Government of Canada Ed. R. MacGregor Dawson. Revised Edition by N. Ward. (Toronto, On.: The University of Toronto Press, 1981), p. 350.
Franks, p. 475.

18. MacLeod p. 24. " give semblance of responsibility while in fact doing little but enhancing individual members profiles."

19. T.A. Hockin " The Advance of Standing Committees in Canada's House of Commons" in Canadian Public Administration §(1970) pp. 185-202†, p. 199.

20. Hockin, p. 185.
F.F. Schindeler Responsible Government in Ontario (Toronto, On.: The University of Toronto Press, 1969), p. 98.

21. M. Rush "Committees in the Canadian House of Commons" in Committees in Legislatures: A Comparative Analysis Ed. J.D. Lees and M. Shaw (Durham, N.C.: The Duke University Press, 1979, pp. 191-241), p. 211.

22. Franks, p. 461

MacLeod, p. 37.

23. MacLeod, p. 24. In Quebec " To be complete, the reforms needed to allow the government to make full use of the experience and political knowledge of the members of the legislature". Thus, it was decided to re-vamp the existing structure to allow for the above. Such a widespread reform, free of executive, control, paranoia and party dicipline is needed if the standing committees of the legislature are going to be functionally effective.

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